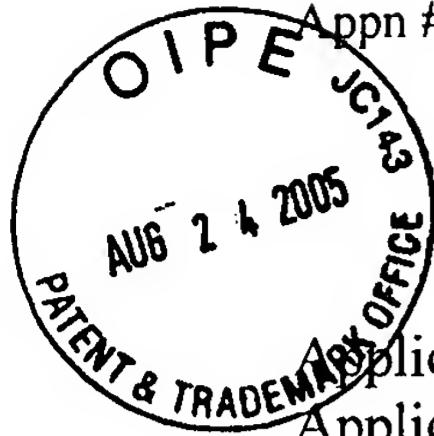


08-25-05

IFEW-



Appn #: 10/644,572

(Giles, Smith ET AL.)

GAU: 2632

Petition to Withdraw Holding of Abandonment

Application #: 10/644,572
Application Filed: 08/21/2003
Applicants: Samuel K. Giles & Christopher E. Smith
Application Title: Vehicle Security System
Examiner/GAU: Travis R. Hunnings/2632

Mailed: 8/24/2005

Petition to Withdraw Holding of Abandonment

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

In response to the Office Letter mailed August 9th 2005, the delay in our response was unavoidable due to the frequency of communication between the applicants and the USPTO. These points are further explained in the attached declaration.

Sincerely,

Pro se applicants

Samuel K. Giles

Christopher E. Smith



Declaration

Pro se applicants Samuel K. Giles and Christopher E. Smith declare the following:

1. Upon receiving the Non-Final Office Action on October 6th, 2004, the applicants submitted a Request for Extension of Time on January 10th 2005. While working on the required amendment during the granted extension time, the applicants elected to purchase the 6th and final month for extension.
2. The applicants were unaware of the fees associated with the acquisition of the last and final month of the extension and decided to inquire with the USPTO's Inventor's Assistance Center and the examining officer presiding over the application regarding the correct fee for an additional month of extension time.
3. After these verbal conversations, it was understood that a payment of \$60 was needed to add one additional month to the applicants' extension time. On March 3rd 2005, the applicants submitted a request for and were granted an extension of time of one month.
4. The next communication with the USPTO was the submission of the amendment on March 29th 2005.
5. The following events, between the applicants and the USPTO, outline opportunities for the USPTO to notify the applicants of their open balance for their extension of time request.
 - a. On May 11th 2005, Pro se applicant Christopher E. Smith was contacted by the Examining Officer, Travis R. Hunnings in regards to the applicants' amendment. The examiner inquired if the applicants had submitted the amendment. The applicants notified the examiner that they had submitted the amendment on March 29th 2005 and the postcard receipts were returned to the applicants.

- b. During this conversation, a resolution was reached. The applicants would need to re-submit the amendment in response to the Non-Final Office Action by facsimile.
 - c. On May 17th a follow-up email was sent to pro se applicant Christopher E. Smith
 - c. On May 20th 2005, the applicants resubmitted their amendment via facsimile.
 - d. There was no warning or conversation about potential application abandonment or open balance during these conversations.
- 6. The following events, between the applicants and the USPTO, outline opportunities for the USPTO to notify the applicants of their open balance for their extension of time request.
 - e. On June 16th 2005, the applicants were again contacted by the examining officer.
 - f. The examiner notified the applicants that the previously facsimile submitted amendment was not signed by the applicants and another amendment would need to be sent.
 - g. On June 22nd 2005 the applicants re-submitted a signed amendment to the USPTO via Express Mail.
 - h. Once again, there was no warning or conversation about potential abandonment due to an open balance during these conversations.
- 7. Lastly, on August 9th 2005, the USPTO sent the Pro se applicants a notice of abandonment.

Had the applicants, Samuel K. Giles and Christopher E. Smith, been informed of the open balance, the applicants would have paid the balance in order to be in compliance with the USPTO. The applicants were informed on all other major problems and/or concerns pertaining to the application and the amendment except for the open balance for extension of time. Again the applicants would like to point out that there were attempts to seek out the fee information through the USPTO's Inventor's Assistance Center and the examining officer. The applicants only submitted a payment that was thought to be accurate. It is the applicants' intent to be in compliance with the USPTO in order to avoid anymore delays. Enclosed is a check in the amount of the open balance.

Applicants, Samuel K. Giles and Christopher E. Smith, are looking forward to hearing from someone regarding this Petition to Withdraw Holding of Abandonment in the near future. Thank you for your time and consideration.

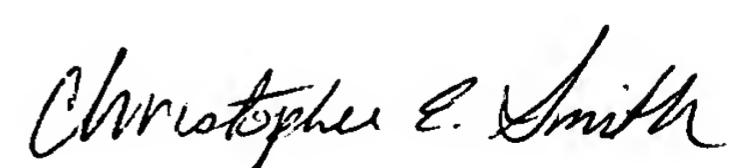
We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardized the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Sincerely,

Pro se Applicants



Samuel K. Giles



Christopher E. Smith

[Print - Close Window](#)

To: skgiles@iseinnovations.com
Subject: Travis cont'd
From: "Christopher" <cesmith5@excite.com>
Date: Tue, 16 Aug 2005 21:30:03 -0400 (EDT)

Join Excite! - <http://www.excite.com>
The most personalized portal on the Web!

Forwarded Message

Subject: RE: amendment
Date: Fri, 20 May 2005 10:04:33 -0400
From: "Hunnings, Travis R." <Travis.Hunnings@USPTO.GOV>
To: cesmith5@excite.com

HTML Attachment

Ok thanks.

-----Original Message-----

From: Christopher [mailto:cesmith5@excite.com]
Sent: Friday, May 20, 2005 10:05 AM
To: Hunnings, Travis R.
Subject: RE: amendment

Travis,

I am faxing the amendment along with the postcard receipt received from the PTO. If there is anything else need please let me know.

Thanks,

Chris

--- On Tue 05/17, Hunnings, Travis R. <Travis.Hunnings@USPTO.GOV> wrote:

| **From:** Hunnings, Travis R. [mailto:Travis.Hunnings@USPTO.GOV]
| **To:** cesmith5@excite.com
| **Date:** Tue, 17 May 2005 14:26:16 -0400
| **Subject:** amendment

chris,

i talked to my supervisor. he suggested that you fax me your amendment along with the postcard and any other correspondence you received from the office regarding your amendment.

i will take the amendment and get it to the right people to get it scanned into the system.

you can fax it to me at (571) 273-3118

Travis R. Hunnings

Patent Examiner

Art Unit 2632

(571) 272-3118

travis.hunnings@uspto.gov

Join Excite! - <http://www.excite.com>
The most personalized portal on the Web!

[Print - Close Window](#)

To: skgiles@iseinnovations.com
Subject: Most recent e-mail from Travis
From: "Christopher" <cesmith5@excite.com>
Date: Tue, 16 Aug 2005 21:27:14 -0400 (EDT)

Join Excite! - <http://www.excite.com>
The most personalized portal on the Web!

Forwarded Message

Subject: RE: amendment
Date: Tue, 2 Aug 2005 16:12:06 -0400
From: "Hunnings, Travis R." <Travis.Hunnings@USPTO.GOV>
To: cesmith5@excite.com

HTML Attachment

Chris, sorry it's been so long since I last spoke with you. It's been interesting trying to get your amendment into the system and getting everything straight.
However, I think we did find the problem. You originally paid for both a 2-month and 1-month extension of time in order to get your amendment in on time. The problem was that the \$60 you paid for the 1-month extension is only for an amendment filed within the first month of extendable time (that is the 4th month since the non-final action was mailed). In order to get the full 3-month extension you needed to pay the full price of \$510.
I know this sounds pretty bad but I think there is a solution. Now, what has to be done is I will send out a notice of abandonment on your case because there was no (timely) filed amendment because our system only recognized that you paid for a 2-month extension (you were (\$510-(\$225+\$60)) \$225 short of the full 3-month price). So what you need to do is wait till you get the notice of abandonment in the mail and then contact the Petitions office at (571) 272-3282 and explain the situation and ask them what you need to do in order to file a petition to revive your application.
I'm not sure what that would entail, but it might just be as simple as paying the difference in fees.
Sorry for all the confusion. You should get the notice in the next 2 weeks. Give me a call or email if you have any questions.

Travis R. Hunnings
Patent Examiner
Art Unit 2632
(571) 272-3118
travis.hunnings@uspto.gov



The following received today:
Utility Patent Amendment for Samuel K. Giles and Christopher E. Smith for "Vehicle Security System," consisting of 18 pages of substitute specification, 18 pages of clean amended specification, 3 pages of claims, 2 two pages of drawings, 16 pages of remarks/arguments, an appendix, cover letter, \$230 check for filing fee and receipt postcard.



BEST AVAILABLE COPY



ED 172730364 US

ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 43601	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ 13.65
Date Accepted 6-26-05	Scheduled Date of Delivery	Return Receipt Fee
Mo. Day Year Time Accepted 15:26 AM	Month Day Scheduled Time of Delivery	COD Fee Insurance Fee
Flat Rate <input checked="" type="checkbox"/> or Weight lbs. 13 ozs.	Noon <input type="checkbox"/> 3 PM Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ 15.43
Int'l Alpha Country Code	Acceptance Emp. Initials SP	

FROM: (PLEASE PRINT) PHONE (419) 507-0798

S. K. Giles
7312 WOODMAN CIR
Holland, OH 43528

WAIVED BY SIGNATURE (Domestic Mail Only)
Additional merchandise insurance is void if customer requests waiver of signature. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY
 Weekend Holiday
Mailer Signature

TO: (PLEASE PRINT) PHONE ()

**Randolph Building
401 Dolany St.
Alexandria, VA**

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)
22314+

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

FOR PICKUP OR TRACKING

Visit www.usps.com

Call 1-800-222-1811



UNITED STATES POSTAL SERVICE®

Customer Copy
Label 11-B, March 2004

Post Office To Addressee

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

WAIVER OF SIGNATURE (Domestic Mail Only)
Additional merchandise insurance is void if customer requests waiver of signature. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY
 Weekend Holiday
Mailer Signature

TO: (PLEASE PRINT) PHONE ()

**Randolph Building
401 Dolany St.
Alexandria, VA**

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

22314+

FOR INTERNATIONAL DESTINATIONS, WRITE COUNTRY NAME BELOW.

AVAILABLE COPY

1004

ISE INNOVATIONS
7312 WOODSMAN CIRCLE
HOLLAND, OH 43528

6-12-410

PAY
TO THE
ORDER OF

U.S. Patent & TRADEMARK Office

DATE 3/4/05

\$ 60.00
Sixty dollars and 00/100 DOLLARS

National City.

National City Bank
Toledo, Ohio

FOR Petition for Extension

1004# [REDACTED]

[Signature]

#0000006000#

PATENT AND TRADEMARK OFFICE

13-10-001

03-07-2005

FOR CREDIT TO THE
U.S. TREASURY

13-10-001

5136 33767

041000124
NATIONAL CITY BK#96
03/09/05
1600531925

►0310000114
WACHOVIA NA SVC#71 4057F
PHILA, PA 03382005 16PK
7416264446

ANGELINA GRAUMAN
1001 16531925 CF48040 70
20050309000000116531925 60.00
200508150068WS:VP4 OPR:IMG
03468

SAMUEL K GILES DBA
ISE INNOVATIONS
7312 WOODSMAN CIR
HOLLAND OH 43528-9561